

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

DAVID DATE, JR., and ELLIOT
HANDLER, Individually and On Behalf of
All Others Similarly Situated,

Plaintiffs,

Case No. 07-CV-15474

vs.

Honorable Paul D. Borman
Magistrate Judge R. Steven Whalen

SONY ELECTRONICS, INC. and ABC
APPLIANCE, INC., d/b/a ABC
WAREHOUSE,

Defendants.

**DECLARATION OF JOSHUA LARSON
IN SUPPORT OF SONY ELECTRONICS,
INC.'S OPPOSITION TO PLAINTIFFS'
MOTION TO COMPEL**

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1. I, Joshua Larson, hereby submit this Declaration to provide my testimony in the above-captioned matter. I am over the age of 18 and am competent to testify to the facts stated herein. All statements made herein are based upon my personal knowledge.

2. I am currently employed by Sony Electronics Inc. as a Manager of Mechanical Engineering.

3. My job responsibilities have included since 1994 working with the packaging design department to finalize the appearance of cartons for Sony televisions. In particular, I am very familiar with the cartons that were used for production of new KDS-R60XBR1 and KDS-R50XBR1 model televisions (collectively, "XBR1 models").

4. To the best of my knowledge and recollection, the photographs attached at Exhibits A-M are true and accurate representations of the cartons that were used to ship the new XBR1 model televisions in 2005 and 2006. This was the only box design used in conjunction with the XBR1 model televisions.

5. I understand that plaintiffs have raised the question as to whether these boxes are the original boxes used to ship the XBR1 model televisions in 2005 and 2006 based on a white sticker on the cartons that indicates that the televisions currently in the cartons have been refurbished. The cartons pictured are the same design cartons that were used in 2005 and 2006 with new production of the XBR1 model televisions.

6. Sony did not design or implement a different "refurbished" carton for the XBR1 model televisions. Instead, Sony designated the televisions in the cartons as being refurbished by use of the sticker alone. Exhibits N-O. To the best of my knowledge and recollection, the words and images printed on the boxes pictured in Exhibits A-M are

identical to the words and images printed on all of the other boxes in which XBR1 model televisions were sold.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed this 4th day of November, 2010, in San Diego, California.

Joshua Carson